

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

RICKY W. WELLS, ET AL. §  
v. § CIVIL ACTION NO. 9:07cv27  
UNION PACIFIC RAILROAD COMPANY §

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Plaintiff's Agreed Partial Motion to Dismiss ([document #162](#)) be granted and that the claims of Vernon Vigil be dismissed with prejudice. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that Plaintiff's Agreed Partial Motion to Dismiss ([document #162](#)) is **GRANTED** and the claims of **Vernon Vigil** are **DISMISSED** with prejudice.

**SIGNED** this the 13 day of June, 2008.

  
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Thad Heartfield  
United States District Judge